




# RAVALLI COUNTY ATTORNEY

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*T. Geoffrey Mahar, Chief Deputy*  
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205 Bedford, Suite C  
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## MEMORANDUM

**TO:** Ravalli County Commissioners

**FROM:** Danni A. Poellot   
Legal Assistant to George H. Corn, Ravalli County Attorney  
And Alex Beal, Deputy Attorney

**DATE:** January 24, 2008

**RE:** Jack Westre v. Ravalli County Clerk and Recorder; DV 08-32

Dear Commissioners:

Attached, please find this letter in regards to the above entitled case. George wanted me to forward to your attention as an FYI.

Thanks so much.

**RECEIVED**

JAN 24 2008

Ravalli County Commissioners

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AD ✓  
GHC ✓

**Montana Association of Counties  
Joint Powers Insurance Authority**

P.O. Box 7059  
Helena, Montana 59604-7059

(406) 442.1178  
Facsimile (406) 443.4161

January 18, 2008

Alex Beal  
Deputy Ravalli County Attorney  
205 Bedford, Suite C  
Hamilton, MT 59840

JAN 22 2008  
Ravalli County Attorney's Office

RE: Jack Westre v. Ravalli County Clerk and Recorder

Dear Alex:

I am writing in response to your e-mail of January 18, 2008, requesting defense and indemnification coverage for the above mentioned lawsuit filed against the Ravalli County Clerk and Recorder on January 17, 2008.

This action is not covered under the insurance policy provided to the County by the Montana Association of Counties Joint Powers Insurance Authority because the complaint seeks a Writ of Mandamus which is excluded under the policy.

Policy exclusions applicable to this matter state as follows:

EXCLUSIONS APPLICABLE TO SECTION II

THIS POLICY DOES NOT INSURE AGAINST:

14. Any claim or cause seeking injunctive or similar relief.
15. Any claim seeking relief or redress in any form other than money damages.

Because the allegations made in the complaint are not covered by the policy we will not provide a defense of the suit or pay damages should the cause be settled or damages awarded.

If you disagree with this coverage decision, you may appeal by contacting Greg Jackson at MACO JPIA to start the appeal process.

Sincerely,

  
Keith Stapley  
Claims Manager

**COPY**